

Remarks

Reconsideration and allowance of all claims are respectfully requested. Claims 1-3, 5, 6, 8-10, 12, 13, 15-17 & 20 remain pending.

By this paper, independent claims 1, 8 & 15 are amended to more clearly point out and distinctly claim certain aspects of the present invention. These claim amendments are submitted in a *bona fide* attempt to further prosecution of the application. Support for the amended language can be found throughout the application as filed. For example, reference FIG. 3A, paragraphs [0033] & [0057], as well as the subject matter of canceled dependent claims 4, 7, 11, 14, 18 & 19. No new matter is added to the application by any amendment presented.

In the Office Action, claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Whitacre et al. (U.S. Patent Publication No. 2004/0138944 A1; hereinafter Whitacre). This rejection is respectfully traversed to any extent deemed applicable to the claims presented herewith, and reconsideration thereof is requested.

Applicants recite in independent claims 1, 8 & 15, a unique approach for assessing a product development effort or project. The approach begins with:

- identifying multiple possible root causes of trouble for a product development effort.

In accordance with Applicants' invention, there are multiple possible root causes of trouble which may be encountered *during development of a product*. These multiple possible root causes of trouble are initially identified. Cited against this process is paragraph [0086] of Whitacre. This paragraph of Whitacre teaches:

[0086] In block 138, the team leader may reference these indications from PPM system in order to perform root causes analysis. Determining the root cause of any problem ensures that it does not reoccur in the future. Root Cause Analysis is useful in helping employees achieve the performance goals set by the project. A root cause analysis may be completed whenever an employee's performance is not meeting the guidelines set by the project. One technique in determining the root cause of a problem is to ask why three to five times, thereby eliminating the surface reasons for missing a target and to thus identify the root cause. The following is a list of tools that can help determine the root cause: Brainstorming, Cause and effect analysis (fishbone diagram), Histogram, Graphs, Pareto diagrams, and Checklists. Several steps are useful in conducting root cause analysis: (a) Enlist individuals to help in the root cause analysis. Include

individuals that are directly affected by the outcome of the actions to be taken (e.g., Subject Matter Expert, another Team Leader and/or an Operations Manager). (b) Conduct cause and effect analysis or use any of the helpful tools mentioned in this section. (c) Select the potential causes most likely to have the greatest impact on the problem. Note: It is not enough to identify that the root cause is present when the problem occurs. It must also be present when the problem does not occur. (d) Create and implement an action plan to address the root causes. This action plan may be reviewed to ensure that the corrective actions do not cause more problems.

In the above-noted discussion of Whitacre, the identified root causes relate to employees not achieving performance goals. In contrast, Applicants' identifying multiple possible root causes of trouble are directly tied to multiple possible root causes of trouble for a product development effort or project. *Management of a product development project or effort requires a significantly different analysis effort than managing an individual employee's performance.* The possible root causes of trouble for a product development effort are significantly different than any possible root causes of trouble for employee performance failure. Whitacre describes a process for rapid evaluation of individual performance based on a consistent set of criteria. The Whitacre approach and root causes of trouble would not scale to a product development effort such as recited by Applicants. Further, the context of Whitacre's employee performance goal evaluation is significantly different from the creation of a tangible product, as recited in Applicants' product development effort. Thus, Applicants respectfully submit that it is other than merely non-functional descriptive material to recite identifying multiple possible root causes of trouble *for a product development effort*. The identifying relates directly to the product development effort and the multiple causes of root trouble also relate directly to the product development effort, and *thus the product development effort is an integral part of the protocol recited, and not merely labeling of data.*

For at least this reason, Applicants respectfully submit that the independent claims presented patentably distinguish over the applied and known art.

Applicants' invention further recites:

- identifying multiple question sets for diagnosing the multiple possible root causes of trouble, each question set being directed to diagnosing a respective root cause of trouble of the multiple possible root causes of trouble, and identifying specific project roles to provide responses to questions of the question set.

In accordance with this aspect of Applicants' protocol, each possible root cause of trouble has associated therewith a respective question set employed in diagnosing the possible root cause of trouble, and each question set identifies the specific project role(s) to provide the responses to the questions in the question set. Paragraphs [0087] & [0088] are cited against Applicants' originally recited identifying of question sets. In accordance with the amended language, Applicants call out that each question set is directed to diagnosing a respective root cause of trouble. A careful reading of Whitacre fails to uncover any discussion of providing multiple question sets, wherein each question set is directed to diagnosing a different respective root cause of trouble. Further, a careful reading of Whitacre fails to uncover any discussion that each question set also identifies the specific project roles who are to provide responses to the questions in that question set. For at least these reasons, Applicants respectfully submit that the independent claims presented herewith patentably distinguish over Whitacre and the other art of record.

Applicants' protocol further recites:

- * providing a computer-implemented tool to evaluate answers to the question sets and to provide guidance based on scored questions regarding the existence of one or more root causes of trouble for the product development effort from the identified multiple possible root causes of trouble, the scored question sets being produced by an automated scoring mechanism, the automated scoring mechanism automatically counting the number of responses in required fields of a question set of the multiple question sets and scoring the question set against a total number of required fields in the question set to produce an automatic indication of the strength of responses for the question set, the strength of responses indication being an automatic indication of the strength of analysis of the respective root cause of trouble.

In Applicants' above-recited computer-implemented tool, a specific approach is provided for analyzing responses to a question set to provide an automatic indication of the strength of analysis of the respective root cause of trouble. Applicants' computer-implemented tool assists in determining whether a particular root cause of trouble is applicable to the product development effort. Whitacre provides no teaching or suggestion relevant to this aspect of Applicants' protocol. Applicants' computer-implemented tool provides guidance based on scored questions regarding existence of one or more root causes of trouble. Further, the scored

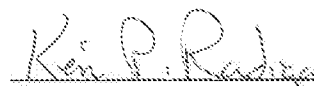
questions are produced by *an automated scoring mechanism which automatically counts the number of responses in required fields of a question set and scores the responses to the question set against a total number of required fields in the question set to produce an automatic indication of the strength of responses for that question set, and thus, an automatic indication of the strength of analysis of the respective root cause of trouble.* A careful reading of Whitacre fails to uncover any teaching or suggestion relevant to automatically evaluating strength of analysis of a respective root cause of trouble. For these additional reasons, Applicants respectfully submit that the independent claims presented herewith patentably distinguish over the applied and known art. Reconsideration and allowance of the independent claims are therefore respectfully requested.

The dependent claims are believed allowable for the same reasons as the independent claims, as well as for their own additional characterizations.

All pending claims are believed to be in condition for allowance, and such action is respectfully requested.

Should any issue remain unresolved, however, Applicants' undersigned representative requests a telephone interview with the Examiner to further discuss the matter in the hope of advancing prosecution of the subject application.

Respectfully submitted,


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